Attorney Docket No. 11000.1037c3
PATENT APPLICATION

#18
J.G.)
2/5/03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of **Lorna Strachan, Matthew Sleeman, Nevin Abernethy, Rene Onrust, Krishanand D. Kumble, and James G. Murison**

Application No. : 09/823,038

Group Art Unit: 1646

Filed : March 28, 2001

For : **COMPOSITIONS ISOLATED FROM STROMAL CELLS AND METHODS FOR THEIR USE**

Examiner : Ruixiang Li

DECLARATION OF DR. ELIZABETH VISSER

BOX NON-FEE AMENDMENT
Assistant Commissioner for Patents
Washington, D.C. 20231

The undersigned, Dr. Elizabeth Visser, hereby declares:

1. I am presently the Patent Manager at Genesis Research and Development Corporation Limited, the assignee of the subject patent application. I have a D.Sc(agric.) in the field of molecular biology and I previously held the position of Senior Scientist at Genesis Research and Development Corp. Ltd.

2. An alignment of murine FGFR5γ (SEQ ID NO: 32) and the human FGFR5 sequence of SEQ ID NO: 33 is attached hereto as Exhibit A. As stated in the specification on page 29, line 22 - page 30, line 3, conserved ligand binding residues previously identified in FGFR1 are found at residues 66, 68, 146, 178, 181, 183 and 216 of SEQ ID NO: 32, while conservative substitutions of potential ligand binding residues

identified in FGFR1 are found at residues 64, 180 and 226 of SEQ ID NO: 32. The alignment provided in Exhibit A shows that these residues are conserved between SEQ ID NO: 32 and SEQ ID NO: 33, and further, that the SEQ ID NOS: 32 and 33 show 93.7% identity in the 207 amino acid overlap.

3. An alignment of SEQ ID NO: 33 with SEQ ID NO: 31 and also with the known sequences of FGFR1, FGFR2, FGFR3 and FGFR4 is provided in Exhibit B, attached hereto. The heparin-binding domain previously identified in members of the FGFR family is located at residues 160-177 of FGFR1. As shown in the alignment, this domain is conserved between the murine FGFR5β sequence (SEQ ID NO: 31) and the human FGFR5 sequence of SEQ ID NO: 33.

4. Based on these similarities between the murine sequences of SEQ ID NO: 31 and 32, and the human sequence of SEQ ID NO: 33, I would expect SEQ ID NO: 33 to possess similar functional activity to SEQ ID NOS: 31 and 32.

5. The undersigned further declares that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful, false statements, and the like so made are punishable by fine or imprisonment, or both under Section 1001 of Title 35 of the United States Code.

E.S Visser

Elizabeth Visser, D.Sc.(agric)

20 December 2002

Date

20601